Kolkata



Gazette

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

## **GOVERNMENT OF WEST BENGAL**

Labour Department
LW/MW Cell
N. S. Building (12th Floor)
1, K. S. Roy Road, Kolkata-700 001

No. I/650143 (1)/12/2025/LABR-25011(12)/1/2025

## **NOTIFICATION**

Whereas, the Governor was pleased to exempt the establishment namely, M/s orient Day School, 33B, James Long Sarani, Kolkata 700034 against the P.F. Code No. WB/CAL/25960 vide Notification no. 546-LW/PF-04/07 dated 11/24.07.2007 under section 17(1)(a) of the Employees Provident Fund & Miscellaneous Provisions Act, 1952 from the operation of all provisions of the said act of Employees' Provident Fund Scheme, 1952 subject to the conditions as specified therein.

Whereas, it has been reported by the Additional Central Provident Fund Commissioner (HQ) Exemption, Bhavishya Nidhi Bhawan, DK-Block, Sector-II, Salt Lake City, Kolkata-760091 vide No. E-III/10(77)2023/Misc/3268 dated 14/05/2025 that;

Whereas, The Board of Trustees of the Orient Day School has unanimously passed a resolution to surrender exemption w.e.f.01/09/2021 citing difficulty in maintaining Trust. The establishment accordingly has desired to surrender the exemption.

Whereas, The Orient Day School applied for the surrender of the exemption as the advent of Covid-19 pandemic and downfall of economic situation, the Board of Trust is facing insurmountable practical difficulties i.e the rate of interest at which the fund is receiving interest from bonds/scripts/deposits is not at par or above the rate which the Trustee Board are paying interest to the members of the staff of the establishment. As a result, Trustee Board unanimously decided to transfer the Provident Fund to be managed by the Regional Provident Fund Commissioner, Kolkata, West Bengal..

Whereas, it has been reported by the RPFC-I, Regional Office, Kolkata, Vide no. A/SPL/Security/WB/25960/CC-VI/3386 dated 03/02/2023 in respect of the surrender of the exemption of the Orient Day School.

Whereas, the establishment also applied for surrender of exemption and that was considered by the Central Board of Turstees, Employees' Provident Fund in its 237th CBT Meeting held on 28/02/2025 and recommended for surrender of exemption under section 17(4) of EPF & MP Act, 1952.

Whereas, in 57<sup>th</sup> meeting of Exempted Establishments Committee of CBT, EPF held on 26/11/2024 at EPFO, Head Office, also recommended the Surrender/cancellation of exemption against the said establishment.

Whereas, the ACC(Exemption), EPFO has requested to consider for issuance of necessary formal order regarding Cancellation of Exemption in respect of the said establishment.

Whereas, the Regional Provident Fund Commissioner-I, R.O, Kolkata has also reported on the basis of ECR reports that the establishment has started un-exempted compliance w.e.f 01/09/2021 and post-surrender, their monthly EPF compliance is received up to wage month 12/2022. Further, the entire past accumulation liability has been deposited by the said exempted trust and their pension fund contributions as well as Administrative Charges contribution is received up to 31/08/2021.

Whereas, no violation on conditions of exemption before surrender and no pending amount or court case is there against the establishment.

Therefore, after considering the proposal of the EPFO authority and the correspondences, documents, it may be deduced that the Cancellation of Exemption of M/s Orient Day School from the EPFO authority seems to stand solid and valid..

Now, the Governor is hereby pleased to cancel formally the granted Exemption in favour of M/s Orient Day School against P.F. Code WB/CAL/25960 vide Notification no.546-LW/PF-04/07 dated 11/24.07.2007 as per section 17 (4) of the Employees' Provident Fund and Miscellaneous Act, 1952 and as per 27A of the Employees Provident Fund Scheme, 1952 from the date of issuance of the notification.

By order of the Governor,

AVANINDRA SINGH, IAS
Secretary to the Government of West Bengal